
The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Carla S. Roberts.

DIGEST

Proposed law creates the Dept. of Ports, Maritime and International Trade as one of the departments in the executive branch of state government. Provides that the department shall perform the functions of the state relating to the welfare of ports and maritime trades.

Proposed law provides that the department shall be composed of the executive office of the secretary, the office of management and finance, and such other offices as shall be created by law. Provides that new offices may be created by statute upon submission of a plan therefor by the department secretary.

Proposed law provides that the department officers are the secretary, the deputy secretary if a deputy secretary is appointed, and the undersecretary.

Proposed law provides that the secretary be appointed by the governor with Senate confirmation and must be knowledgeable about ports and the maritime industry. Provides that he shall serve at the pleasure of the governor at a salary fixed by the governor (not exceeding the amount approved for such position by the legislature while in session), and shall serve as the executive head and chief administrative officer of the department, under the general control and supervision of the governor.

Proposed law provides for the powers and duties of the secretary. Except as otherwise provided by law, he shall:

- (1) Represent the public interest in carrying out his office and be responsible to the governor, the legislature, and the public therefor.
- (2) Determine department policies.
- (3) Organize, plan, administer, and be responsible for the functions and programs vested of the department, as provided by law.
- (4) Advise the governor on problems concerning department administration.
- (5) Act as the sole agent of the state (or designate another department officer) to cooperate with the federal government and with other state and local agencies in matters of mutual concern and in the administration of federal funds.
- (6) Make and publish an annual report to the governor and the legislature concerning the department operations, submit with each report recommendations for the more effective internal structure and administration of the department, and make other reports and

recommendations on his own initiative or upon request of the governor, the legislature, or any committee or member thereof.

- (7) Provide for the ongoing merger and consolidation of the agencies and functions transferred to his department and submit a report thereon to the governor and the legislature.

Proposed law, in accordance with applicable civil service law and rules and with department policies and rules and subject to budgetary control and applicable laws, grants the secretary the authority to:

- (1) Employ, appoint, remove, assign, and promote personnel necessary for the efficient administration of the executive office of the secretary and for the efficient administration of the department and its agencies.
- (2) Employ, assign, and remove all personnel employed for the department on a contractual basis.
- (3) Transfer department personnel.

Proposed law further grants the secretary authority to:

- (1) Appoint, subject to gubernatorial approval, advisory councils, boards, and commissions necessary in department administration.
- (2) Accept and use, in accordance with law, gifts, grants, bequests, and endowments for purposes consistent with the responsibilities and functions of the department and take such actions as are necessary to comply with any conditions required for such acceptance.
- (3) Formulate and promulgate rules of administration for the department relating to employment and management.
- (4) Do other such things, not inconsistent with law, as are necessary to perform his functions properly.

Proposed law authorizes a deputy secretary of the department to be appointed by the secretary with Senate consent, who shall serve at the pleasure of the secretary, at a salary fixed by the secretary (not exceeding the amount approved for such position by the legislature while in session). Provides that his duties and functions shall be determined and assigned by the secretary and that, if appointed, he shall serve as acting secretary in the absence of the secretary.

Proposed law requires that there be an undersecretary of the department, appointed by the governor, subject to senate confirmation, to serve at the pleasure of the governor at a salary fixed by the governor (not exceeding the amount approved for such position by the legislature while in session). Requires that he be directly responsible to and perform his functions under the

supervision and control of the secretary. Provides that the undersecretary shall direct and be responsible for the functions of the office of management and finance and be responsible for accounting and budget control, procurement and contract management, data processing, management and program analysis, personnel management, and grants management for the department and all of its offices and agencies. Provides that he employ, appoint, remove, assign, and promote personnel necessary for administration of the office of management and finance. Provides that these duties are not subject to change by the secretary, except that he may assign additional duties to the undersecretary.

Proposed law creates the Ports, Maritime and International Trade Commission and is placed within the Department of Ports, Maritime and International Trade and shall be made up of the following members:

- (1) One member appointed by the Board of Commissioners of the Port of New Orleans.
- (2) One member appointed by the Port of South Louisiana Commission.
- (3) One member appointed by the Greater Baton Rouge Port Commission.
- (4) One member appointed by the Board of the St. Bernard Port, Harbor and Terminal District.
- (5) One member appointed by the governing authority of the Plaquemines Port, Harbor and Terminal District.
- (6) One member appointed by the Board of Commissioners of the Lake Charles Harbor and Terminal District.
- (7) One member appointed by the Board of Commissioners of the Abbeville Harbor and Terminal District.
- (8) One member appointed by the Board of Commissioners of the Alexandria Regional Port.
- (9) One member appointed by the Avoyelles Parish Port Commission.
- (10) One member appointed by the Caddo-Bossier Port Commission.
- (11) One member appointed by the Columbia Port Commission.
- (12) One member appointed by the Grand Isle Port Commission.
- (13) One member appointed by the Greater Lafourche Port Commission.
- (14) One member appointed by the Greater Ouachita Port Commission.

- (15) One member appointed by the Commissioner of the Jefferson Parish Economic Development and Port Commission.
- (16) One member appointed by the Lake Providence Port Commission.
- (17) One member appointed by the Board of Commissioners of the Mermentau River Harbor and Terminal District.
- (18) One member appointed by the Millennium Port Authority.
- (19) One member appointed by the Board of Commissioners of the Morgan City Port Harbor and Terminal District.
- (20) One member appointed by the Natchitoches Port Commission.
- (21) One member appointed by the Pointe Coupee Port Commission.
- (22) One member appointed by the Board of Commissioners of the Port of Iberia District.
- (23) One member appointed by the Red River Parish Port Commission.
- (24) One member appointed by the South Tangipahoa Parish Port Commission.
- (25) One member appointed by the Terrebonne Port Commission.
- (26) One member appointed by the Board of Commissioners of the Vidalia Port Harbor and Terminal District.
- (27) One member appointed by the Board of Commissioners of the West Calcasieu Port.
- (28) One member appointed by the West Cameron Port Commission.
- (29) One member appointed by the West Feliciana Parish Port Commission.
- (30) One member appointed by the Board of Commissioners of the West St. Mary Port, Harbor and Terminal District.

Proposed law provides for the duties of the Ports, Maritime and International Trade Commission to be as follows:

- (1) Meet periodically and advise the secretary as to matters related to the administration of the department.
- (2) Advise the secretary as to the funds in the Louisiana Waterways Infrastructure and Development Fund.

- (3) Advise the governor regarding appointments to the board of the Louisiana Waterways Infrastructure Bank.

Proposed law specifies that legislative intent is to create the Dept. of Ports, Maritime and International Trade in the office of the governor and transfers its powers, duties, functions, employees and responsibilities in state government related to ports and maritime trade to the new department. Further specifies legislative intent that the present Dept. of Ports, Maritime and International Trade is succeeded by the Dept. of Ports, Maritime and International Trade created in the Act that will be one of the 21 departments in the executive branch. Provides that the new department shall be the successor of the former department in every way and that no additional state funds shall be expended or additional personnel appointed or employed as a result of the Act. Further specifies that the legislative intent is that the new department is created as a means to assist the various port commissions of the state and is not intended to interfere with or assume any power currently held by the commissions.

Proposed law is effective when the Act that was originated as S. B. 24 of the 2008 Regular Session becomes law.

(Adds R.S. 36:151 - 158)